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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,394	12/02/2004	Koichi Iida	59243.00011	5059
32294 7590 10/09/2007 SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			EXAMINER BASIT, ABDUL	
			ART UNIT 3694	PAPER NUMBER
			MAIL DATE 10/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/516,394

Applicant(s)

IIDA ET AL.

Examiner

Abdul Basit

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/2/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 10m the production management terminal is given the number 30, when it should be 20 based on figure 2. Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Issues

1. The specification is confusing as to the sequence of events in the order management system. On pages 6-7, the specification goes through parts 11 to 15 as the sequence in the order management system. However, on pages 8-11, the specification does not provide the same sequence. Instead, using figure 2, the sequence is 13, 11, and then 14. Applicant is requested to clarify.

2. The specification does not explain the relationship between the dates and quantities described in figure 3 and the order amounts in figure 4. Applicant is requested to clarify.
3. On page 12, the specification does not explain what is a first predetermined period and a second predetermined period. Applicant is requested to clarify.
4. On page 12, the specification does not explain why it would be necessary to allocate an option of modifiable or unmodifiable. Applicant is requested to clarify.
5. On page 12, the specification does not explain what is meant by a period. Applicant is requested to clarify.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheldon (US Pat. No. 5,765,143) in view of Wojcik (US Pat. No. 7,058,596) and in further view of Barts (US Pub. No. 2002/0082893)

Regarding claim 1:

Sheldon teaches an order management system for managing orders of resources for production of products, comprising:

- Required quantity determination means for determining required quantities of resources in a plurality of periods; (*see column 3 generally*)

- First ordering means for creating first order information in which order quantities in a plurality of periods are the same as required quantities determined by said required quantity determination means and providing the first order information to an order received management terminal; *(see column 3 and 4 generally)*

Wojcik, not Sheldon, teaches correction means for correcting the required quantities of resources in the plurality of periods; *(see column 18, lines 35-50)*

Barts, not Sheldon, teaches second ordering means for creating second order information indicating latest order quantities obtained by modifying the placed order quantities based on the required quantities corrected by said correction means for a plurality of periods in a first predetermined period. *(see ¶ 137).*

Barts, not Sheldon, teaches and indicating latest order quantities obtained by modifying the placed order quantities so as to suppress a fluctuation in an entire order quantity caused by an order quantity fluctuation. *(see ¶ 137).*

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sheldon with Wojcik and Barts. Motivation to modify exists because a method of correcting order quantities helps to reduce costs. Also suppressing a fluctuation also helps to reduce costs.

Regarding claim 2:

Sheldon further teaches that for the order management system according to claim 1, the required quantity determination means is enable to set required quantities of resources according to a user's intention. *(see column 3, lines 10-20)*

Regarding claim 3:

Wojcik, not Sheldon, teaches that for the order management system according to claim 1, the second ordering means creates the second order information indicating the latest order quantities obtained by modifying the placed order quantities in order of precedence from the first period among the plurality of periods in the second predetermined period. *(see column 18 generally)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Sheldon with Wojcik. Motivation to modify exists because updating order quantities helps to reduce inventory costs.

Regarding claim 6:

Barts, not Sheldon, teaches that for the order management system according to claim 1, an upper limit is imposed on the fluctuation. *(see ¶ 137)*.

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Sheldon with Barts. Motivation to modify exists because updating order quantities helps to reduce inventory costs.

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheldon (US Pat. No. 5,765,143) in view of Wojcik (US Pat. No. 7,058,596) in further view of Barts (US Pub. No. 2002/0082893) and in further view of Muraoka (US Pat. No. 7,058,596).

Regarding claim 4:

Muraoka, not Sheldon, teaches that for the order management system according to claim 1, the order management system further includes a production plan creation means for creating production plans of products sequentially, wherein said required

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quantity determination means determines latest required quantities of resources based on a latest production plan created by the production plan creation means. (see column 3, lines 34-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Sheldon with Barts. Motivation to modify exists because an updated production plan helps to reduce manufacturing costs.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheldon (US Pat. No. 5,765,143) in view of Wojcik (US Pat. No. 7,058,596) in further view of Barts (US Pub. No. 2002/0082893) and in further view of Lidow (US Pub. No. 2002/0019761)

Regarding claim 7:

Lidow, not Sheldon, teaches that for the order management system according to claim 6, the order management system further includes an information acquiring means for acquiring information on a supply capacity of resources of the person receiving the orders from his/her order received management terminal, wherein said second ordering means controls the upper limit on the basis of the information on the supply capacity of resources of the person receiving the orders acquired by the information acquiring means. (see ¶ 148).

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Sheldon with Lidow. Motivation to modify exists because information on a supply capacity helps to better determine production and inventory costs.

Claim 5 has been cancelled by Applicant.

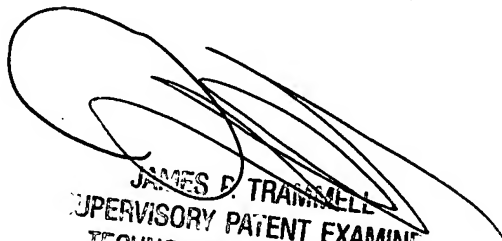
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdul Basit whose telephone number is 571 272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

aqb


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